

United States District Court  
Southern District of Texas

**ENTERED**

October 11, 2022

Nathan Ochsner, Clerk

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION**

**PROGRESSIVE COMMERCIAL  
CASUALTY INSURANCE COMPANY,**

Plaintiff,

V.

XPRESS TRANSPORT LOGISTICS, LLC,  
*et al.*,

## Defendants.

CIVIL ACTION NO. H-21-2683

## **ORDER ENTERING DEFAULT AND DEFAULT JUDGMENT**

For the reasons stated in the court's October 11, 2022, memorandum and opinion, the court enters the following orders:

1. Progressive Commercial Casualty Insurance Company has no duty to defend Xpress Transport Logistics, LLC under Commercial Auto Policy No. 019812180-0, in the lawsuit styled *Cuellar v. Santiago et al.*, No. C-0540-21-F (332nd Dist. Ct., Hidalgo County, Texas).
2. Progressive Commercial Casualty Insurance Company has no duty to indemnify Xpress Transport Logistics, LLC under Commercial Auto Policy No. 019812180-0, for a judgment entered against Xpress in, or other liability or loss of Xpress created with respect to, *Cuellar v. Santiago et al.*, No. C-0540-21-F (332nd Dist. Ct., Hidalgo County, Texas).

SIGNED on October 11, 2022, at Houston, Texas.

  
Lee H. Rosenthal  
Chief United States District Judge